

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH WATSON,	)	
	)	Civil Action No. 16 – 55J
Plaintiff,	)	
	)	District Judge Kim R. Gibson
v.	)	Magistrate Judge Lisa Pup Lenihan
	)	
SUPERINTENDENT TREVOR A.	)	
WINGARD, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff, Joseph Watson, initiated the instant prisoner civil rights action on February 26, 2016, (ECF No. 1), and in accordance with the Magistrate Judge’s Act, 28 U.S.C. § 363(b)(1), and Rules 72.C and 72.D of the Local Rules of Court, all pretrial matters were referred to United States Magistrate Judge Lisa Pupo Lenihan.

After the Complaint (ECF No. 3) had been served, Defendants filed a Motion to Dismiss (ECF No. 22) that, on September 26, 2016, was denied with respect to Plaintiff’s claims against Defendants Pritts, Snyder and Wingard relative to the alleged June 2013 assault, and also denied with respect to Plaintiff’s access to courts claim against Defendant Dorr and his equal protection claim against Defendant Rinn. (ECF No. 30.) On March 17, 2017, Defendants filed their Motion for Summary Judgment on the remaining claims (ECF No. 43), and Plaintiff filed a Cross-Motion for Summary Judgment (ECF No. 54), along with a brief in opposition to Defendants’ Motion (ECF No. 56) on May 10, 2017. On January 31, 2018, the Magistrate Judge filed a Report and Recommendation that recommended the Defendants’ Motion for Summary

Judgment be granted, that Plaintiff's Cross-Motion for Summary Judgment be denied and that the Complaint be dismissed. (ECF No. 60.) Plaintiff filed timely Objections to the Report and Recommendation on April 18, 2018. (ECF No. 65.)

In resolving a party's objections, the Court conducts a *de novo* review of any part of the Report and Recommendation that has been properly objected to. Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The Court may accept, reject, or modify the recommended disposition, as well as receive further evidence or return the matter to the magistrate judge with instructions. *Id.* Upon careful *de novo* review of the Complaint, the parties' Motions for Summary Judgment and briefs in connection thereto, the Report and Recommendation, and Plaintiff's Objections, the Court concludes that the Objections do not undermine the Report and Recommendation's recommended disposition. Accordingly, the Court enters the following Order:

And now, this 30<sup>th</sup> day of April, 2018, the following Order is hereby entered:

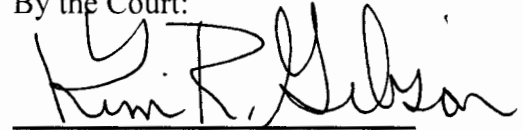
**IT IS HEREBY ORDERED** that the Report and Recommendation of the Magistrate Judge (ECF No. 60) is adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Defendants' Motion for Summary Judgment (ECF No. 43) is granted and that Plaintiff's Motion for Summary Judgment (ECF No. 54) is denied.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mark this case closed.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

Kim R. Gibson  
United States District Judge

Cc: Joseph Watson  
EF-9383  
SCI Somerset  
1600 Walters Mill Road  
Somerset, PA 15510

Counsel for Defendants  
(Via CM/ECF electronic mail)